

November 5, 2003

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 5, 2003, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of October 22 and 28, 2003, be approved.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Bills

Mr. Cramer: I move the following bills, as reviewed by the Commission, be approved and paid:

Thiem Drilling, Inc.	10,750.54
Lou Ogaard	58.15
Steve Kahl	65.16
Larry L. Larson	6.00
Charlene A. Magstadt	6.00
Mark Knell	93.50
Jon Mielke	164.80
Guy Welch	87.50
Bruce A. Johnson	6.00
David Bickel	62.00
Leo D. Praus	167.89
John P. Robbins	882.54
Wayne Grangaard	657.66
Jim Deutsch	69.50
Susan Wefald	275.87
Kevin Hanson	658.40
Richard Fillbrandt	81.97
Timothy A. Erdmann	575.99
William W. Binek	130.92
Stephan A. Schroeder	93.50
Bruce E. Beechie	18.00
Larry Reisenauer	209.88
William E. Dodd	113.10
Jerry Lein	230.47
Kevin Cramer	86.82
Anthony T. Clark	80.52
Phyllis G. Richter	700.63
Office of Administrative Hearing	2,146.14
Office of Administrative Hearing	27.28
Human Resource Management Services	20.00

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1935-98-427  
Valley Communications, Inc.  
Designated Eligible Carrier  
Application  
Withdrawal

Mr. Cramer: I move the Commission grant Valley Communications, Inc.'s Petition to withdraw its application for Designation as an Eligible Telecommunications Carrier, Case No. PU-1935-98-427.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-439-03-295  
Local Competition  
Investigation  
Attorney Permission

Mr. Cramer: I move the following named non-resident attorneys from AT&T and Holland & Hart LLP be given permission to practice before the Commission on behalf of AT&T Communications of the Midwest Inc., in Case No. PU-439-03-295:

AT&T      Holland & Hart LLP

Gary B. Witt

Robert M. Pomeroy Jr.

Mary B. Tribby

Thomas R. O'Donnell

Letty S. D. Friesen

James K. Tarpey

Richard S. Wolters

Thorvald A. Nelson

Steven H. Weigler

Walter F. Eggers, III

Rebecca B. DeCook

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-439-03-295  
Local Competition  
Investigation  
Intervention

Mr. Cramer: I move the Commission adopt the Order Granting Intervention to Qwest Corporation, IdeaOne Telecom Group, LLC, Midcontinent Communications, Missouri Valley Communications, Inc., McLeodUSA Telecommunications Services, Inc., U.S. Link, Inc., and Integra Telecom of North Dakota, Inc. in the Public Service Commission's Local Competition Investigation, Case No. PU-439-03-295.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2953-03-610  
Teleglobe America Inc.  
Long Distance Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to Teleglobe America Inc. to resell interexchange telecommunications services in North Dakota, Case No. PU-2953-03-610.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1264-03-612  
North Dakota Telephone Company  
Local Exchange  
Price Schedule  
Suspend

Mr. Cramer: I move the Commission suspend North Dakota Telephone Company's Local Exchange Price Schedule, Case No. PU-1264-03-612.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2956-03-623  
XO Long Distance Services, Inc.  
Name Change  
Application

Mr. Cramer: I move the Commission reissue Certificate of Registration No. 645 to XO Network Services, Inc., Case No. PU-2956-03-623.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2805-03-563  
Otter Tail Corporation  
Gary Marier, Wheatland, ND  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to Gary Marier for a residential site near Wheatland, North Dakota, Case No. PU-2805-03-563.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Blaster Recertification  
Approval

Mr. Cramer: I move the Commission approve the following Blaster Recertifications.

<u>Applicant</u>	<u>Affiliation</u>	<u>Certificate #</u>
Richard M. Reule	Coteau	85-12-087-R(6)
John M. Butman	Coteau	94-11-218-R(3)
Daryl P. Metzger	Coteau	94-11-220-R(3)

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2915-03-490  
Alticom, Inc./Qwest Corporation  
Interconnection Agreement  
Application

Mr. Clark: I move the Commission adopt the Order approving the captioned interconnection agreements.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2921-03-512  
DIECA Communications, Inc./Qwest  
Corporation  
Interconnection Agreement  
Application

Case No. PU-2271-03-529  
Sprint Communications Company  
L.P./Qwest Corporation  
Interconnection Agreement  
Amendment  
Application

Case No. PU-2928-03-530  
Onvoy, Inc./Qwest Corporation  
Interconnection Agreement  
Application

Case No. PU-2930-03-538  
Cellco Partnership/Consolidated  
Communications Networks, Inc.  
Interconnection Agreement  
Application

Cases Continued

Case No. PU-2957-03-624  
XO Network Services, Inc.  
Local Exchange  
Public Convenience & Necessity  
Notice of Opportunity

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the captioned application for a certificate of public convenience and necessity to provide facilities based competitive local exchange telecommunication services in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2805-03-596  
Otter Tail Corporation  
November 2003  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Case No. PU-2805-03-596, Otter Tail Corporation's Electric Fuel Cost Adjustment for November 2003.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-618  
Montana-Dakota Utilities Co., a  
Division of MDU Resources Group, Inc  
November 2003  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Montana-Dakota Utilities Co.'s fuel cost adjustment for November 2003, Case No. PU-399-03-618.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-400-03-626  
Northern States Power Company  
November 2003  
Fuel Cost Adjustment

Mrs. Wefald: I move the Commission approve Northern States Power Company's fuel cost adjustment for November 2003, Case No. PU-400-03-626.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-758-03-302  
Bellaire Corporation  
Bond Release 6, Permit NAIH-8001  
Approval

Mrs. Wefald: I move the Commission approve Bond Release No. 6 for Surface Coal Mining Permit No. NAIH-8001, held by the Bellaire Corporation for the Indian Head Mine, to release all remaining reclamation liabilities on 31.297 acres located in Section 2, T143N, R89W, Mercer County. The amount of the bond release is \$21,602 and it will become effective December 5, 2003, unless a formal hearing is requested.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-705-03-513  
Falkirk Mining Company  
Bond Release No. 1, Permit NAFK-8705  
Approval

Mrs. Wefald: I move the Commission approve Bond Release No. 1 for Surface Coal Mining Permit No. NAFK-8705, held by the Falkirk Mining Company, to release all reclamation liabilities on 20 acres of land located in Section 20, T146N, R82W, McLean County. The amount of the bond release is \$39,371.39 and it will become effective December 5, 2003, unless a formal hearing is requested.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2840-03-113  
Lehigh Road Phase VIII  
2003-2006 AML Construction  
Project  
Close Contract

Mr. Cramer: I move the Commission close out Contract No. AM-459-03 with Thiem Drilling, Inc., 1502 West Broadway, Williston, North Dakota 58801 for construction services at the Lehigh Road Phase VIII abandoned mine land site in Stark County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2880-03-340  
GLOBCOM INCORPORATED  
Local Exchange/Interexchange  
Public Convenience & Necessity  
Valuation Billing

Mr. Cramer: I move the Commission bill GLOBCOM INCORPORATED for costs incurred to date in Case No. PU-2880-03-340, GLOBCOM INCORPORATED, Local Exchange/Interexchange, Public Convenience & Necessity.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2887-03-359  
IDT America, Corp.  
Local Exchange  
Public Convenience & Necessity

Mr. Cramer: I move the Commission bill IDT America, Corp. for costs incurred to date in Case No. PU-2887-03-359, IDT America, Corp., Local Exchange, Public Convenience & Necessity.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:00 NOON.

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Executive Secretary

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TONY T. CLARK, PRESIDENT